THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION No.27694 of 2005

-

Dated:28.12.2005

Between:

Sri Ram Bharoos S/o.Late Ram Awatar
R/.o.MCH No.21-6-566 to 571 (New) Chelapura, Hyderabad

..... PETITIONER

AND

The Commissioner, Municipal Corporation of Hyderabad Town

Planning Section, Hyderabad, and another.

.....RESPONDENTS

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.27694 of 2005

ORDER:

The petitioner is a resident of Chelapura, Hyderabad. He is residing in House Nos.21-6-566 to 571. The petitioner gave a complaint to the Section Officer, Circle No.2, Municipal Corporation of Hyderabad, alleging that the second respondent, who is a neighbour of the petitioner, in premises No.21-6-565 has taken up unauthorized construction without any sanctioned plan and without leaving any open space as required under the Zoning Regulations. The same was received by the office of the Municipal Corporation of Hyderabad (MCH) on 21.12.2005. In the meanwhile, the second respondent has already commenced the construction and he is likely to lay the RC roof. The present writ petition is filed, *inter alia,* seeking a direction to the first respondent to take action against the illegal and unauthorized construction being taken up by the second respondent.

The learned Standing Counsel for MCH, Sri Ghanta Rama Rao, after getting instructions in the matter submits that immediately after receiving the complaint of the petitioner, a notice under Section 461 of the Hyderabad Municipal Corporations

Act, 1955, was given and the second respondent has approached MCH showing the sanctioned plan for construction of the ground floor and the first floor, and that if any deviation is made by the second respondent, appropriate action will be taken against him. The same is recorded.

The writ petition is filed without any factual foundation, and the same is accordingly dismissed. No costs.

_____

(V.V.S.RAO, J)

28.12.2005

vs